

SOUTHERN DISTRICT OF NEW YORK

CASE No. 07 CIV 5805

NOVELLA JOHNSON,

Plaintiff(s) Petitioner(s)

against

Calendar No.  
AFFIDAVIT  
OF  
SERVICE

CITY OF NEW YORK, ETAL,

Defendant(s) Respondent(s)

being sworn,

KINGS COUNTY, NEW YORK STATE: Domingo R. Barros

says: Deponent is not a party herein, is over 18 years of age and resides at 26 Court Street, Brooklyn, New York  
 On OCT. 12, 2007 at 2:00 P.M., at 347 MADISON AVENUE NEW YORK, NEW YORK  
 deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)  
☒ summons and complaint ☐ citation  
☐ notice of petition and petition ☐  
☐ subpoena ☐ subpoena duces tecum ☐

on METROPOLITAN TRANSPORTATION AUTHORITY

☒ defendant (hereinafter  
☐ respondent called therein named  
☐ witness the recipient)

INDIVIDUAL 1. ☐ by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein.

CORPORATION 2. ☒ a SOVEREIGN corporation, by delivering thereat a true copy of each to MARIA LAVAGLIA personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be AUTHORIZED AGENT thereof

SUITABLE AGE PERSON 3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state.

AFFIXING TO DOOR, ETC. 4. ☐ by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4 5A. ☐ Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.  
 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS USE WITH 3 OR 4 5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at recipient's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

DESCRIPTION	<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input checked="" type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
	<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input checked="" type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
		<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
		<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
		<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input checked="" type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

WITNESS FEES

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the authorizing traveling expenses and one days' witness fee:

☐ was paid (tendered) to the recipient  
☐ was mailed to the witness with subpoena copy.

MILITARY SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.  
 Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

10/12/07 

KAREN BARROS  
 Notary Public, State of N.Y.  
 No. 01BA6119737  
 Qualified in Westchester Co.  
 Commission Expires Dec. 06 2008

Domingo R. Barros

License No. 745503